From: John Gilmore

To: Microsoft ATR,gnu@toad.com@inetgw

Date: 1/27/02 10:37pm **Subject:** Microsoft settlement

I think the proposed settlement of the Microsoft antitrust litigation is a travesty of justice.

Whether or not Congress defines "being too successful" as a crime, it is clear that there are MANY, MANY things that Microsoft did that were crimes -- such as threatening DEC with cancellation of their Windows license if they released a competing product. Such as signing a contract with Sun that said they'd only release compatible Java products, then deliberately breaking the compatability in their release. Such as their current nuisance suit against competing OS vendor Lindows, when there are hundreds of products that even include the literal word "Windows", about which Microsoft hasn't complained. They continue to use their OS monopoly as a way to leverage themselves into other businesses, such as file sharing, credential storage, and digital rights management.

Even the actions that they propose to take to "remedy" their past monopolistic acts are monstrous -- such as "giving away" millions of copies of (zero marginal cost) software to schools, so that even more students can be trapped into the Microsoft monopoly at even younger ages.

The proposed settlement should be REJECTED. The honest prosecutors, if there are any left on the case, should stall the case until a non-corrupt Presidential administration is in office and they can resume the case. "The fix is in" in this Administration.

John Gilmore